UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,312	12/02/2003	Tomohiro Katsube	SONYJP 3.0-349	5196

530 7590 05/28/2009

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER	
SIKRI, ANISH	

ART UNIT	PAPER NUMBER
2443	

MAIL DATE	DELIVERY MODE
05/28/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/727,312	KATSUBE ET AL.	
	Examiner	Art Unit	
	ANISH SIKRI	2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 26-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 26-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 26-28 are rejected under 35 U.S.C 103(a) as being unpatentable over Kazuhiro et al (Jap Pub 2003-242122), in view of Fukuda (US Pub 2003/0012156), and in further view of Engberg (US Pub 2003/01588960).

Kazuhiro et al and Fukuda et al were cited in the previous office action.

Consider **Claim 1,** Kazuhiro et al discloses information processing system, comprising: a first information processing apparatus operable to authenticate a device (Kazuhiro et al, Description, [0016]); a second information processing apparatus operable to hold setting information (Kazuhiro et al, Description, [0013]); and a third information processing apparatus (Kazuhiro et al, Description, [0013]); the first

information processing apparatus including: a first storage unit operable to store first identification information for authenticating the third information processing apparatus, and second identification information for identifying the third information processing apparatus (Kazuhiro et al, Description, [0011], [0012], [0022], [0043]); an authenticating unit operable to authenticate the third information processing apparatus based on the first identification information in response to a request from the third information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); a generating unit operable to generate third identification information that is used to connect the third information processing apparatus to the second information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); a second storage unit operable to store the third identification information in association with the second identification information (Kazuhiro et al, Description, [0016], [0021], [0022]); a first sending unit operable to send the third identification information to the third information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); a first receiving unit operable to receive the third identification information from the second information processing unit (Kazuhiro et al, Description, [0016], [0021], [0022]); and a second sending unit operable to send the second identification information to the second information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); the second information processing apparatus including: a third storage unit operable to store the setting information for connecting the third information processing apparatus to the network in association with the second identification information (Kazuhiro et al, Description, [0016], [0021], [0022]); a second receiving unit operable to receive the third

identification information from the third information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); a third sending unit operable to send the received third identification information to the first information processing apparatus(Kazuhiro et al, Description, [0016], [0021], [0022]); a third receiving unit operable to receive the second identification information from the first information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); and a fourth sending unit operable to send the setting information stored in association with the received second identification information to the third information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); and the third information processing apparatus including: a fourth storage unit operable to store the first identification information (Kazuhiro et al, Description, [0016], [0021], [0022]); a requesting unit operable to request the first information processing apparatus to authenticate the third information processing apparatus based on the first identification information stored in the fourth storage unit (Kazuhiro et al, Description, [0016], [0021], [0022]); a fourth receiving unit operable to receive the third identification information from the first information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); a fifth sending unit operable to send the received third identification information to the second information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]); and a fifth receiving unit operable to receive the setting information from the second information processing apparatus (Kazuhiro et al, Description, [0016], [0021], [0022]).

Nonetheless, Kazuhiro et al fails to disclose how to connect the device to a network based on the setting information which includes an Internet service provider connection ID and password.

But, Fukuda discloses on how to connect the device to a network based on the setting information which includes an Internet service provider connection ID and password (Fukuda, [0023]). Fukuda does teach on how the device retrieves the network setting information which includes ISP settings to connect the device to the network (Fukuda, [0023]).

Both Kazuhiro-Fukuda provide features related to management of processing systems. Therefore one of ordinary skill in the art would have been motivated to combine the teachings since both are within the same environment.

Therefore, it would be obvious to a person skilled in the art to incorporate the storing of network setting information, taught by Fukuda to Kazuhiro et al's system for creating connection to the ISP.

Nonetheless, Kazuhiro et al-Fukuda fails to disclose information which includes a device ID and pass phrase; wherein the second identification includes product code and serial number; and wherein the third identification includes a one-time ID. The one-time ID being generated in response to authentication of the third information processing apparatus and containing no information relating to the third information processing apparatus or the first information processing apparatus.

Nonethless, Engberg discloses on how the device ID and pass phrase (Engberg, [0352], Engberg disclosed that the use of a challenge and response pass phrase) are used, along with the product code and serial number (Engberg, [0788], Engberg disclosed the use of private data), and the use of a one-time ID (Engberg, [0451], [0459], Engberg disclosed on how the one-time only identify is used in the network) for network connection. Engberg disclosed the one-time ID (Engberg, [0451], [0459], Engberg disclosed on the creating one-time only identity key) being generated in response to authentication of the third information processing apparatus and containing no information relating to the third information processing apparatus or the first information processing apparatus (Engberg, [0451], [0455], Engberg disclosed that the one-time identity is created with response to authentication of ID in the system). And the one time ID being generated as a result of authentication of the device (Engberg, [0939]-[0940], Engberg clearly discloses that there is authentication of a device in the system)

Both Kazuhiro-Fukuda-Engberg provide features related to provide a secure management of processing system environment. Therefore one of ordinary skill in the art would have been motivated to combine the teachings since both are within the same environment.

Therefore, it would be obvious to a person skilled in the art to incorporate the use of ID, pass-phrase, product code and serial number, along with one-time ID taught Engberg, in the system of Kazuhiro et al-Fukuda for enabling multi-tier security mechanisms to prevent unauthorized access to the networks.

Consider Claims 26-28, they have similar limitations as Claim 1. They are rejected under the same rational as to claim 1.

Response to Arguments

Applicant's arguments filed 2/5/2009 have been fully considered but they are not persuasive.

Applicant argues for Claim 1, 26-28 that Engberg does not recite the use of one-time ID based on authentication of the device. Examiner cites that the teaching of Engberg clearly discloses the use of authentication of the device. Engberg in [0451], [0459] disclosed on how the one-time only identify is used in the network. And Engberg also discloses the use of SmartCard in the system [0448]-[0451]. But Engberg clearly discloses that there is authentication of the device not just authentication based on algorithm only. Engberg discloses in (Fig 33, [0939]-[0940]) that the embodiments also includes the authentication of device via the authentication mechanisms used in the system.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH SIKRI whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri
a.s.

May 22, 2009

/Tonia LM Dollinger/

Supervisory Patent Examiner, Art Unit 2443